

United States Senate
WASHINGTON, DC 20510

April 4, 2019

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Secretary Pompeo:

We write with concern about the situation in Sudan, and the U.S. policy response. As you know, sustained widespread protests began on December 19th, 2018. Thousands of Sudanese of diverse political, ethnic and socio-economic backgrounds have joined largely peaceful demonstrations calling for President Omar al-Bashir to step down, with multiple actors calling for a transitional government.

In response to the protests, security forces have cracked down with disproportionate force. Disturbing videos show images of security forces using live ammunition against protesters, beating them with batons and using teargas in a hospital treating those injured. On February 8th, state security agents fired teargas and beat worshippers at a mosque in Omdurman when they attempted a peaceful demonstration. More than 1000 protesters have been detained and remain in custody despite statements from high level officials saying they would be released. Human rights organizations allege that at least 50 protesters have been killed. Reports suggest at least one person has been tortured and beaten to death while in custody; there are reports of several others. We understand that parliament has voted to approve a six-month state of emergency rather than the year-long State of Emergency imposed by President Omar al-Bashir last month. However, expanded powers of detention, search and seizure granted to security forces remain in effect, as does the replacement of the First Vice President and governors with military officers. And the State of Emergency could be renewed at the end of six months.

Despite the ban, demonstrations continue. While the long-term effects of the protests and calls for transition remain unclear, twice in Sudan's recent history—in 1964 and 1985—civil protests have brought down military regimes, giving a clear example of the potential outcome of this mass movement. The Administration formally began to engage under Phase II of the reengagement framework in November 2018, continuing a pathway that if successfully concluded is intended to pave the way to a process for lifting Sudan's State Sponsor of Terrorism designation. However events on the ground run counter to critical elements of reform required under the framework—specifically improved respect for human rights and religious freedom, and unfettered humanitarian access. Continued engagement under Phase II is likely to be interpreted by the Sudanese to mean that these issues will be ignored if they continue engagement on terrorism issues, and a pathway towards sanctions relief still exists.

Counterterrorism is a necessary precondition, but is not sufficient to justify engagement with the Sudanese regime.

State Department and USAID officials briefed Senate Foreign Relations Committee staff on February 8th. Staff subsequently requested in writing that the State Department and USAID, along with the intelligence community, follow-up with a classified briefing to obtain a fuller understanding of the situation and the U.S. policy response. We understand that a briefing is being scheduled. We ask that at that briefing, you share the following:

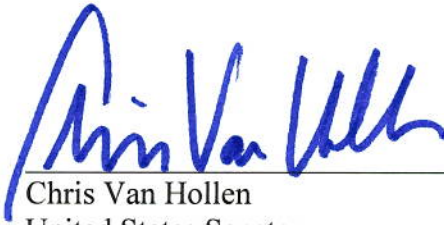
- What is the Administration's position on continuing with Phase II engagement in light of the imposition of the State of Emergency and installation of a military government?
- What have we communicated to the government of Sudan about reports that personnel from Russian military services company Wagner were deployed in Khartoum in the wake of the protests, and their possible participation in responding to protests?
- What will be the impact of continued unrest or turmoil, and the State of Emergency on the humanitarian situation in Sudan, and how is the Administration planning for the increased need for humanitarian assistance should the situation continue to worsen?
- What was the Administration's response to Sudan's substantial backsliding in the area of humanitarian access between the conclusion of the first phase of the framework and the beginning of Phase II, and how will that affect any dialogue going forward?
- What concrete steps beyond public statements has the Administration taken to demonstrate our support for the rights of the Sudanese people to peacefully assemble and express their desire for a representative government?
- What is the Administration's plan to proactively engage with members of the European Union, Troika, humanitarian partners and our interlocutors in the Africa and Middle East to develop a common diplomatic approach to this current crisis, and a contingency plan should the situation deteriorate?

We look forward to hearing from and working with you on this and other matters.

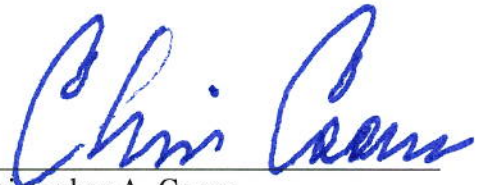
Sincerely,


Robert Menendez
United States Senator

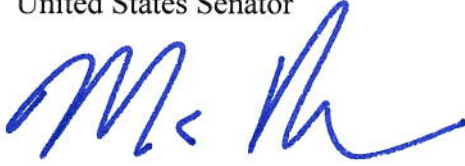

Ted Cruz
United States Senator



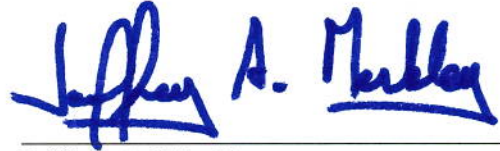
Chris Van Hollen
United States Senator



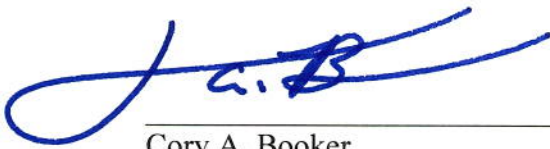
Christopher A. Coons
United States Senator



Marco Rubio
United States Senator



Jeffrey A. Merkley
United States Senator



Cory A. Booker
United States Senator